

1 direct in 15 minutes?

2 MR. ROSENBAUM: Yes.

3 THE COURT: Okay, bring him in.

4 MR. DUFF: Who is it?

5 THE COURT: I don't know who it
6 is.

7 MR. DUFF: Cross will be longer,
8 Your Honor.

9 THE COURT: I know. We won't do
10 the cross.

11 (Thereupon, the following took place
12 within the hearing of the jury.)

13 THE COURT: Next witness, please,
14 Mr. Rosenbaum.

15 SANDRA WILLIAMS

16 a Witness herein, called on behalf of the State of Ohio,
17 after first being duly sworn by the Court, testified
18 and said as follows:

19 DIRECT EXAMINATION OF SANDRA WILLIAMS

20 BY MR. ROSENBAUM:

21 Q. State your name, please.

22 A. Sandra Williams.

23 Q. Are you employed, ma'am?

24 A. Yes, sir.

25 Q. Can you tell the Court and jury what you do for a

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EXHIBIT

1 living?

2 A. I work at Parker Hannafin.

3 Q. What do you do there?

4 A. I'm a lead assembler.

5 Q. How long have you worked there, ma'am?

6 A. Twenty-two years.

7 Q. Do you know a person by the name of Ronald Lally?

8 A. Yes, sir.

9 Q. How did you know him, ma'am?

10 A. I was engaged to him.

11 Q. Can you identify the person whose face is depicted in
12 State's Exhibit 2-B?

13 A. Yes.

14 Q. Who is that?

15 A. Ron Lally.

16 Q. How long did you know him for?

17 A. Thirteen years.

18 Q. Were you still dating him at the time of his death?

19 A. Yes, sir.

20 Q. Did you live together at times?

21 A. Yes, sir.

22 Q. Did you always live together?

23 A. Yeah, basically.

24 Q. Did he have a place his own, though?

25 A. At the time of his death, yes.

- 1 Q. Did you break up with him anywhere in those 13 years?
2 A. Yeah, about the last year of his life.
3 Q. And did you break up at other times during the
4 relationship?
5 A. Once for about three months.
6 Q. What caused the problems in your relationship?
7 A. Drugs.
8 Q. What do you mean by that?
9 A. He was smoking crack and I didn't like it.
10 Q. He was an addict?
11 A. Yes.
12 Q. When did he become an addict, if you know?
13 A. About four years --
14 Q. Did he --
15 A. -- before he died.
16 Q. Did he do things as a result of that, that would
17 upset you?
18 A. Yeah.
19 Q. What were -- what was that?
20 A. He stole things from me.
21 Q. Like what?
22 A. Money, jewelry, VCR, microwave.
23 Q. Did he admit doing this to you after he would do it?
24 A. Yeah.
25 Q. And how did he feel about it?

- 1 A. He always he said felt bad about it.
- 2 Q. But could he stop, or did he stop?
- 3 A. No.
- 4 Q. Did he steal anything from you in June of 1993?
- 5 A. Yeah, my microwave.
- 6 Q. Did he admit that to you?
- 7 A. No, not right away.
- 8 Q. Where was his place that he had separate from yours
* 9 at the time that he died?
- 10 A. On Middle Avenue, an apartment across from the high
11 school.
- 12 Q. Is that by Mr. Hero?
- 13 A. Yes.
- 14 Q. Is it next to Mr. Hero?
- 15 A. Yes, right across the alley.
- 16 Q. Now, have you ever seen the person who's seated below
17 my right hand?
- 18 A. Yes, sir.
- 19 Q. Do you know his name?
- 20 A. Danny Smith.
- 21 Q. When did you learn his name?
- 22 A. When he came into my yard.
- 23 Q. When was that?
- 24 A. In September of '93.
- 25 Q. Do you know if it was on the 7th?

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1 MR. DUFF: Object.

2 A. I can't recall.

3 Q. What happened when he came to your yard?

4 A. He was making threats against Ron.

5 Q. Tell the Court and jury exactly what the defendant
6 said to you, as best you can recall it.

7 A. He said that I should tell Ron that they knew where
8 he was at and they knew where his family lived and it
9 would be a shame if his family got hurt. -

Q. Did he say, or did he indicate knowledge of what type
of structure, Ron Lally's structure lived in?

12 A. Yes.

13 Q. What did he say?

14 A. He knew that he lived in a mobile home.

15 Q. And did he say what faith might befall this mobile
16 home?

17 A. It might be blown up.

18 MR. ROSENBAUM: I have no other
19 questions, Your Honor.

CROSS-EXAMINATION OF SANDRA WILLIAMS

21 BY MR. DUFF:

22 Q. Did you give a statement to any police officers in
23 regard to this case?

24 A. When he came to the house

25 Q. When who --

1 A. Danny.

2 Q. No, no. Did you ever make a statement to the, a
3 police officer, Detective Leiby or any other
4 individual?

5 A. Yes.

6 Q. Did you write it out?

7 A. I didn't write it, no.

8 Q. Did you give a taped statement?

9 A. Yes, they did tape it.

10 Q. All right.

11 MR. DUFF: We'd ask for that,
12 Your Honor.

13 THE COURT: Very well.

14 MR. DUFF: Let me finish. Can I
15 finish?

16 How many statements did you give that were taped?

17 A. Just one, I believe.

18 Q. All right. Do you want to take time to think about
19 that? Are you sure?

20 A. As best as I can remember, yeah, it was only once.

21 Q. Do you know the date that you gave this taped
22 statement?

23 A. No, I can't remember.

24 Q. Did you ever write anything down in regard to this
25 case?

1 A. I can't remember.

2 Q. You don't know if you ever wrote anything down?

3 A. I don't remember, no.

4 Q. All right.

5 MR. DUFF: We'd ask for the
6 statement.

7 THE COURT: Okay. Ladies and
8 gentlemen, something that has to be done. I get the
9 statement at this point. I get the taped statement at this
10 point. It's an in-camera inspection, correct? And
11 ladies and gentlemen, we've reached a point where I have to
12 examine certain things and that has to be done
13 certainly outside of your hearing and your viewing at
14 this point.

15 While the clock on the wall says five minutes to
16 12:00, it's probably a good time to take our noon recess at
17 this point. I'm looking for myself at this point. I'll
18 take a while to listen. Let's come back, let's come back
19 at 1:15, so that we can get started as close to that time
20 as possible.

21 The admonitions that I've given in the past about
22 discussing this matter amongst yourselves, letting anyone
23 discuss it with you, letting anybody read anything to you
24 you, reading anything to yourself about that, please do not
25 do so. And with that, we will take our noon recess.

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1 (The noon recess was had.)

2 (The Court had an in-camera inspection of
3 the taped statement of Sandra Williams and
4 made the finding there no inconsistencies
5 on the record.)

6 (The following took place within the
7 presence and hearing of the jury.)

8 THE COURT: Good afternoon,
9 ladies and gentlemen. Ladies and gentlemen, as you recall,
10 we had finished the direct examination of this witness,
11 started the cross-examination of this witness, and as a
12 result of certain housework that this court had to do out
13 of your hearing, we adjourned at that point.

14 But glad to report to you this housework has been
15 completed and the results of said housework has been
16 entered into the record, and we are now ready to proceed
17 further with the cross-examination of this witness.

18 Mr. Duff.

19 MR. DUFF: Yes, Your Honor.

20 BY MR. DUFF:

21 Q. Miss Williams, is that it?

22 A. Yes.

23 Q. Miss Williams, I'd like to ask you a few questions if
24 I may; is that all right?

25 A. Yes.

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1 Q. Okay. As I understand it, you're not able, on your
2 direct examination, you were not able to recall the date
3 that this alleged incident occurred?

4 A. Which incident?

5 Q. The incident where you claim Danny Smith came over to
6 your house, you don't recall the date?

7 A. I don't recall the date.

8 Q. If I were to suggest to you a date of 9-7-93, would
9 that be consistent with what you recall?

10 A. Probably, yes.

11 Q. Okay. You wouldn't quibble with that?

12 A. No.

13 Q. All right. Now, as I understand it, you spoke to
14 Detective Leiby other than coming to court, you testified
15 in the previous cases; is that right?

16 A. Yes, sir.

17 Q. Both cases. Did you testify in the Raymond Smith
18 case?

19 A. Yes, sir.

20 Q. Stanley Jaloweic case?

21 A. Yes, sir.

22 Q. All right. Now, other than those cases, in talking
23 to Detective Leiby under those conditions you spoke to
24 Detective Leiby, you gave him a taped statement, correct?

25 A. Yes.

1 Q. All right. And that was done January 3rd of 1995; is
2 that correct?

3 A. Somewhere around in there, yeah.

4 Q. Would you argue with that?

5 A. No.

6 Q. All right. Now, where had you given that statement
7 at?

8 A. The police station.

9 Q. All right. You met with and saw him down there?

10 A. Yes.

11 Q. And you had spoken to him one other time before that;
12 is that correct?

13 A. Yes.

14 Q. He had called your house looking for Ron. Detective
15 Leiby had called your house looking for Ron back in
16 September of '93; do you recall that?

17 A. No.

18 Q. You don't recall the date of 9-20-93 when Detective
19 Leiby called your house looking for Ron?

20 A. No, sir.

21 Q. All right. How about the date, you don't recall the
22 date or you don't recall the phone conversation at all?

23 A. I don't recall the phone conversation at all.

24 Q. Well, if you were to tell you that you discussed
25 that --

1 MR. ROSENBAUM: Objection.

2 MR. DUFF: Can I finish?

3 THE COURT: Let's hear the
4 question.

5 Q. If I were to tell that you discussed that phone call
6 with Detective Leiby on the tape --

7 MR. ROSENBAUM: Objection.

8 MR. DUFF: I'm not trying to
9 impeach, I'm trying to refresh her recollection, Your
10 Honor.

11 THE COURT: Again, at this point
12 you're using that --

13 MR. DUFF: To refresh her
14 recollection.

15 THE COURT: Well, not necessarily
16 to refresh. Can you think very hard about that as to
17 whether or not there was any other kind of conversation?

18 THE WITNESS: No, I can't remember.

19 MR. DUFF: Can I play the tape
20 to refresh her --

21 MR. ROSENBAUM: Objection. He
22 shouldn't be mentioning that tape in front of the jury.
23 It's a limited use that he gets to hear it for and he's
24 exceeded it.

25 MR. DUFF: Outside the presence

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1 of the jury. Can that be accomplished, Your Honor, to
2 refresh her recollection, listening to a tape to refresh
3 her recollection of conversation.

4 THE WITNESS: I don't know.

5 THE COURT: Ladies and gentlemen,
6 I'm going to return you to your jury room at this point.
7 Again, an item has come up at this point that has to be
8 done outside of your hearing. Admonitions that I've given
9 in the past about discussing these matters or letting
10 anyone discuss them with you, reading about this case,
11 letting anybody read to you, still hold. With that we will
12 take hopefully what amounts to a very short recess.

13 (Discussion was had without the
14 presence and hearing of the jury as to
15 whether the tape would be played to
16 refresh the witness' recollection. The
17 judge listened to the tape again and ruled
18 it was not necessary to play the tape.)

19 (The following took place within the

20 presence and hearing of the jury.)

21 THE COURT: Mr. Duff, continue
22 your questioning.

23 MR. DUFF: Thank you, Your
24 Honor.

25 BY MR. DUFF:

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1 Q. Now, there's been some conversation between you and
2 me as far as a phone call on September 20th, 1993; is that
3 correct?

4 A. Yes, sir.

5 Q. Do you recall any time prior to 1-3-95, this date
6 over here, when you gave the taped statement at the police
7 station, do you recall ever telling anyone, including
8 Detective Leiby, the gentleman under my hand here, about
9 this alleged incident with Danny Smith?

10 A. I talked to Detective Leiby just shortly after Danny
11 had left my yard.

12 Q. All right. On 9-7-93?

13 A. Yes, sir.

14 Q. Did you make a police report on that?

15 A. No, sir.

16 Q. You didn't make a police report, you didn't file a
17 complaint?

18 A. No, sir.

19 Q. Where did you talk to Detective Leiby at allegedly?

20 A. I called him.

21 Q. You called him. Do you know the date of that call?

22 A. 9-7-93.

23 Q. Did you call the police on 9-7-93?

24 A. Yes.

25 Q. All right. Now, well, if there would be evidence

1 forthcoming in this case that you talked to Detective Leiby
2 on September 20th, 1993, would there be such evidence
3 forthcoming in this case, you don't recall? Did you
4 mention to him on September 20th anything about there
5 incident 1993?

6 A. I don't remember talking to him on that date.

7 Q. Well, I asked you to assume there's evidence
8 forthcoming.

9 MR. ROSENBAUM: Objection.

10 MR. DUFF: It's got a good faith
11 basis, Your Honor.

12 THE COURT: She says she doesn't
13 recall having talked to him on that date. How can she
14 assume anything at this point?

15 MR. DUFF: Can I reframe?

16 THE COURT: Frame it.

17 Q. Assume Detective Leiby were to testify in this case
18 that he spoke to you September 20th, 1993, all right. Do
19 you know if you mentioned to him this alleged incident

20 with Danny Smith on that date?

21 MR. ROSENBAUM: Objection.

22 THE COURT: She says she doesn't
23 recall that conversation.

24 MR. DUFF: All right.

25 THE COURT: Sustained.

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1 MR. DUFF: Thank you, Your
2 Honor.

3 Now, Danny -- Ron was, you've been dating him since
4 when? What year did you start dating him?

5 A. 1981.

6 Q. 1981. And I think your testimony in the previous
7 cases was that for the last four years of your relationship
8 he was a crack addict, right?

9 A. Yes, sir.

10 Q. He was also hooked on pills and Valium; is that
11 correct?

12 A. Yes, sir.

13 Q. All right. So, if he died in January of '94, that
14 means he would have been addicted to crack, in your view,
15 going back to, what, 1990, January of '90?

16 A. Yeah.

17 Q. And he had no problem before that?

18 A. No, sir.

19 Q. Okay. So your testimony is that before 1990, Ronald
20 had no drug problem?

21 A. I can't say he didn't have. He did drugs, but it
22 wasn't a problem.

23 Q. It wasn't, he wasn't addicted to crack cocaine?

24 A. Right.

25 Q. Okay. Would it surprise you to tell you -- do you

1 know Detective Homoki?

2 A. Yes, sir.

3 Q. Would it surprise you to tell you that he said Ron
4 was a crack addict as far back as 1988, would that surprise
5 you of that testimony?

6 A. No.

7 Q. All right. Now, you know Danny's black, right?

8 A. Yes.

9 Q. All right. Is it true you told Detective Leiby you
10 couldn't recognize Danny?

11 A. No, sir, I didn't say that.

12 Q. You never said you couldn't recognize him?

13 A. I don't believe I ever said that, no.

14 Q. You never told Detective Leiby that you would not
15 recognize Danny?

16 A. I don't remember ever saying that, no.

17 Q. Okay. All right. Now, you loved Ron Lally, right?

18 A. Very much.

19 Q. More than anybody else in the world?

20 A. Short of my grandchildren.

21 Q. Next to your grandchildren?

22 A. Short of my grandchildren.

23 Q. You were with him 13 years, right?

24 A. Yes, sir.

25 Q. You upset with Danny because you think he might have

1 had a role in this killing?

2 A. No, not particularly.

3 Q. Doesn't bother you?

4 A. Well, yes, it bothers me, but why, I can't be upset
5 with him. It wouldn't bring Ron back.

6 Q. How about the fact that Danny's black, does that
7 bother you?

8 A. No, sir.

9 Q. Did you ever go to a KKK meeting?

10 A. No, sir.

11 Q. You never went to a KKK meeting?

12 A. No, sir.

13 Q. You never told Detective Leiby you went to a KKK
14 meeting in Lodi, Ohio?

15 A. That is not what I told Detective Leiby.

16 Q. Just answer my question. Did you ever tell Detective
17 Leiby that you and Ron Lally went to a KKK meeting in Lodi,
18 Ohio, did you ever tell him that, yes or no?

19 A. No.

20 Q. Did you ever go to a KKK meeting?

21 A. Meeting, no.

22 Q. Did you ever go to a KKK, KKK event, yes or no?

23 A. No.

24 Q. Event?

25 A. No.

1 Q. Did you ever go to any kind of KKK --

2 MR. ROSENBAUM: Your Honor, is there
3 some relevance to this?

4 MR. DUFF: A lot.

5 MR. ROSENBAUM: Maybe we can approach
6 the bench and hear.

7 THE COURT: Can you tie it in?

8 MR. DUFF: I can tie it in.

9 MR. ROSENBAUM: I would like to hear
10 the relevance at the bench, if it please the Court.

11 THE COURT: Come on.

12 (Conference at the bench between the Court
13 and counsel, as follows:)

14 THE COURT: He's
15 cross-examining.

16 MR. DUFF: All right, I'll do
17 it.

18 THE COURT: I don't go for the
19 double-barrel anymore.

20 MR. DUFF: I can handle it. The
21 relevancy is she has feelings against blacks and Danny is
22 black.

23 THE COURT: I don't think he
24 has --

25 MR. DUFF: That's what I'm

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1 trying to bring out.

2 MR. ROSENBAUM: She's answered that
3 question. She said she doesn't.

4 MR. DUFF: I'm trying to explore
5 that.

6 MR. ROSENBAUM: You are not.

7 THE COURT: You better word what
8 he went to, exactly what he went to.

9 MR. ROSENBAUM: She said she doesn't
10 have feelings against blacks. She doesn't have particular
11 bad feelings about Danny, and she hasn't attended a rally.

12 THE COURT: He didn't ask if she
13 had gone to a rally, it was whether she went to a meeting.

14 MR. ROSENBAUM: She didn't go to the
15 rally either. She said she did not go to the event. Yes,
16 she did. You're trying to twist what happened. That's not
17 what she said. She knew that they stage a thing. She went
18 to watch. She wasn't attending that rally. It's like
19 going to a fire. It doesn't mean you set it.

20 THE COURT: All right.

21 MR. DUFF: That's redirect, Your
22 Honor.

23 MR. ROSENBAUM: No, it's not.

24 THE COURT: Proceed, please.

25 MR. ROSENBAUM: He's trying to create

1 a wrongful impression.

2 BY MR. DUFF:

3 Q. Let me ask you this, Ms. Williams. Did you ever go
4 to a KKK meeting to just watch and not participate?

5 A. Yes, sir.

6 Q. Thank you. How many times did you go to KKK
7 meetings?

8 A. Just the one time. It wasn't a meeting.

9 Q. Thank you. Whatever it was. And that was in Lodi,
10 Ohio?

11 A. Yes, sir.

12 Q. Who did you go there with?

13 A. Ron and a couple other friends.

14 Q. All right. And you're not a member of KKK?

15 A. No, sir.

16 Q. You think that's funny?

17 A. Well --

18 MR. ROSENBAUM: I do. I think it's
19 ludicrous.

20 MR. DUFF: Object.

21 MR. ROSENBAUM: What you do --

22 THE COURT: All right.

23 MR. ROSENBAUM: I object to this.

24 THE COURT: All right. At this
25 point get your questions out, Mr. Duff, whether she thinks

ST. WITNESS, SANDRA WILLIAMS:

Exhibit BB

ADMITTING TO PERJURY IN JAHOWEIC TRIAL BY ANSWERS
GIVEN IN TESTIMONY AT DAN SINITA TRIAL.

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1 it's funny or not.

2 BY MR. DUFF:

3 Q. Now, let's talk about this alleged incident in
4 September of the '93, the 7th. You claimed there are a lot
5 of people present during this thing, correct?

6 A. Yes.

7 Q. During this alleged threat; is that right?

8 A. There were four people.

9 Q. Four. Mike Tolvert was there, right?

10 A. Yes, sir.

11 Q. William Pierce was there, right?

12 A. Yes, sir.

13 Q. Duane Moore was there?

14 A. No, sir.

15 Q. Linda Dennis was there?

16 A. Yes, sir.

17 Q. And this was in broad daylight, right?

18 A. Yes, sir.

19 Q. And he didn't directly threaten you, did he, Danny,
20 according to you?

21 A. No, he did not.

22 Q. He told you he was mad and upset with Ron over this
23 thing, right?

24 A. Yes.

25 Q. Is William Pierce your son-in-law?

1 A. Yes.

2 Q. Who is Duane Moore?

3 A. A friend of Rons.

4 Q. Okay. Linda Dennis is who?

5 A. My friend.

6 Q. How about William Pierce, he's your future son-in-law
7 or is your son-in-law?

8 A. At the time he was my future son-in-law. Now --

9 Q. Who is he?

10 A. Now he's married to my daughter.

11 Q. What's her name?

12 A. Audra.

13 Q. Audra?

14 A. Yes.

15 Q. Was she present?

16 A. No.

17 Q. Who is Ralph Zinner?

18 A. It was a friend of Rons.

19 Q. Did you tell Detective Leiby --

20 MR. ROSENBAUM: Can we approach the
21 bench?

22 THE COURT: Yes.

23 (Conference at the bench between the Court
24 and counsel, as follows:)

25 MR. ROSENBAUM: This is clearly,

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1 again, an improper use of that tape.

2 MR. DUFF: I haven't asked the
3 question.

4 MR. ROSENBAUM: Which has happened
5 with the KKK is also improper use of that tape. He would
6 not have that. There was no inconsistent statement. He is
7 improperly using it. It should be stricken. Now he wants
8 to go into the tape about what did you tell Detective
9 Leiby.

10 MR. DUFF: Judge, there is no
11 rule of law that says if I hear relevant information on
12 in-camera examination -- let me finish.

13 MR. ROSENBAUM: Why in camera?

14 THE COURT: Why is it in camera?
15 For one purpose.

16 MR. DUFF: You determine
17 inconsistencies. If there other pertinent, relevant things
18 it is subject to cross. I'm --

19 MR. ROSENBAUM: You show me a case
20 and you'll never hear me say anything.

21 MR. DUFF: I'm exploring on
22 cross.

23 MR. ROSENBAUM: You don't know about
24 it until you have it.

25 MR. DUFF: What am I supposed to

1 do, erase it from my mind?

2 MR. ROSENBAUM: That's why the rule
3 was drafted. You don't even get to see it. In some court
4 of appeals, you don't get to hear it. He determines it.

5 MR. DUFF: Not this one.

6 MR. ROSENBAUM: You're violating the
7 rule and I think the Court's --

8 MR. DUFF: No, I'm not.

9 MR. ROSENBAUM: The remarks about the
10 KKK should be stricken.

11 MR. DUFF: No. Judge, before
12 you allowed us to go, I thought as other things --

13 THE COURT: I thought there was
14 more material in the tape.

15 MR. DUFF: You said other things
16 I might be able to explore.

17 THE COURT: Go ahead. All right.
18 At this point continue.

19 (The following took place within the
20 hearing of the jury.)

21 MR. DUFF: Nothing else, Your
22 Honor.

23 THE COURT: Mr. Rosenbaum, any
24 redirect?

25 MR. ROSENBAUM: I made a motion to

1 strike some testimony about the KKK.

2 MR. DUFF: Object to that, Your
3 Honor.

4 THE COURT: I will deny that at
5 this point.

6 REDIRECT EXAMINATION OF SANDRA WILLIAMS

7 BY MR. ROSENBAUM:

8 Q. Have you ever subscribed to the ideals of the KKK?

9 A. No, sir.

10 Q. Do you believe in them?

11 A. No, sir.

12 Q. Do you detest them?

13 MR. DUFF: Object.

14 A. Yes.

15 THE COURT: Overruled.

16 Q. Did you go to this meeting in Lodi just to witness
17 the spectacle that may happen with the Klan and the police?

18 A. Yes, sir.

19 Q. Did the Klan ever show up?

20 A. No, sir.

21 MR. ROSENBAUM: I have no other
22 questions.

23 THE COURT: Mr. Duff.

24 RECROSS-EXAMINATION OF SANDRA WILLIAMS

25 BY MR. DUFF:

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